

**United States District Court**

for the

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUN 26 2007

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Douglas Labish

Case Number: 2:07CR00002-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, U.S. District Court Judge

Date of Original Sentence: 5/30/2007

Type of Supervision: Supervised Release

Original Offense: Escape, 18 U.S.C. § 751(a) and  
4082(a)

Date Supervision Commenced: 06/19/2007

Original Sentence: Prison - time served; TSR - 36  
Months

Date Supervision Expires: 06/18/2010

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 19 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

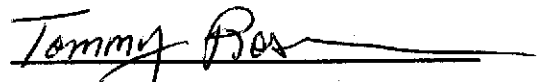
**CAUSE**

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9<sup>th</sup> Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

Douglas Labish was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Labish has agreed to the proposed modifications.

Respectfully submitted,

by



Tommy Rosser  
U.S. Probation Officer  
Date: June 22, 2007

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Prob 12B

**Re: Labish, Douglas**

**June 22, 2007**

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THE COURT ORDERS

- [ ] No Action  
[ ] The Extension of Supervision as Noted Above  
SRUS ☒ The Modification of Conditions as Noted Above  
[ ] Other



Signature of Judicial Officer

June 25, 2007

Date